

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JIM DAWS TRUCKING, LLC,

Plaintiff,

vs.

DAWS, INC., JAMES R. DAWS, LANA
R. DAWS, DAWS TRUCKING, INC.,
and COLUMBUS TRANSPORTATION
& LOGISTICS, LLC,

Defendants.

Case No. 4:24-cv-03177

DECLARATION
OF
ROBERT TOOVEY

Robert Toovey, pursuant to 28 U.S.C. § 1746(2), declares under penalty of perjury the following:

1. I am over the age of majority and am competent to testify. I have personal knowledge of the matters addressed in this Declaration.
2. My daughter, Bailey Toovey, is an employee of Jim Daws Trucking, LLC.
3. I attended the preliminary injunction hearing on February 27, 2025.
4. I drove by Loyal Trucking on Tuesday April 15, 2025, at approximately 11 a.m. and took photos of the trailers parked on the lot as I drove by.
5. A true and correct copy of the photos are attached hereto as **Exhibit A**.
6. On Wednesday April 16, 2025, I was running errands south of Seward, Nebraska.

7. I saw a dark colored truck with the logo "Loyal Trucking" pulling a trailer with the label "Loyal 318L" at the Shell Gas Station located at 930 280th, Seward, NE 68434.

8. The gas station is located on the southeast corner of the junction of 280th Road (Highway 15) and Interstate 80, at exit 379, about two miles north of Loyal Trucking's place of business.

9. The truck pulled out of the gas station onto Highway 15, and then merged onto I-80 eastbound. Before the truck merged onto I-80, and while I was driving behind the truck on Highway 15, I took a photo of the truck at 1:57 p.m. The turn signal is illuminated, indicating that the truck was merging onto I-80 east. True and correct copies of the photos are attached hereto as **Exhibit B**.

10. I followed the truck on I-80 east until I exited at the Milford exit.

11. When I exited at the Milford exit, the truck continued traveling east on I-80.

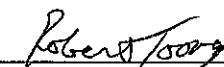
12. The truck appeared to be carrying a full load of steel posts or poles.

13. The truck was traveling away from Loyal Trucking's address off of 280th Road in Milford, NE.

14. The load is similar to what I observed on Loyal Trucking's lot on April 15, 2025.

15. I declare under penalty of perjury that the foregoing is true and correct.

Dated April 17th, 2025



Robert Toovey